IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1820 of 1994

MUNICIPAL COUNCIL UDAIPUR
V/S
DIVISIONAL COMMISSIONER

Mr. BS CHARAN for Mr. SM SHARMA, for the appellant / petitioner

Mr. HEMANT JAIN, for the respondent

Date of Order : 1.2.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

After arguing for some time learned counsel for the respondent agrees that the private respondent will pay the commercial conversion charges applicable for the garden road as were prevalent in the year 1988, and will also pay charges leviable for projection so also compounding fees. Learned counsel for the petitioner does not have very serious objection to this.

The writ petition is accordingly disposed of. Impugned orders Annexure 9 and 10 are set aside, and the matter is remanded back to the Municipal Council to examine the matter again, and determine the amount of conversion charges for commercial purposes leviable at the rate of prevalent in the year 1988 for Garden Road land, for the

projections, and compounding fee. After determining that amount, if the amount already deposited by the respondent falls deficit, the respondent will pay further amount, and if the amount is surplus that will be refunded back. The Municipal Council is directed to decide the matter most expeditiously.

(N P GUPTA),J.

/Sushil/